

New Proposed Regulatory Language

Subsection (b)(91.1) of Section 7.50, Title 14, CCR, is amended to read:

(91.1) Anadromous Waters of the Klamath River Below Iron Gate Dam (Lower Klamath River Basin). The regulations in this subsection apply only to waters of the Klamath River system which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River which are inaccessible to anadromous salmon and trout, for example, portions of the Klamath River system upstream from Iron Gate Dam, portions of the Trinity River system above Lewiston Dam, and the Shasta River and tributaries above Dwinnel Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section 7.00(a)(5)).

(A) Special Fishing Methods Restrictions:

1. Only barbless hooks may be used.

2. ~~Where bait use is allowed, bait may be used only with single hooks having a gap between the point and shank between 1/2 and 1 inch, or with multiple hooks having a gap between the point and shank between 1/4 and 1/2 inch.~~ Exception: there is no minimum hook size below the Highway 101 bridge. No person shall use any single hook with a gap between the point and shank greater than 3/4 inch, or any multiple hook with a gap between the point and shank greater than 5/8 inch.

3. During closures to the take of adult salmon, anglers shall not remove any adult king salmon from the water by any means, such as by dragging the fish on shore or using a net.

4. In the Klamath River, within 100 yards of the channel through the spit formed at the mouth, weights may be used only if hard-tied to a drop line that is between 12 inches and 24 inches long and that is attached to the main fishing line no more than 36 inches above the hook.

(B) General Area Closures:

1. No fishing is allowed ~~within 400 feet of any U.S. Fish and Wildlife Service or Department of Fish and Game seining operation and~~ from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from Aug. 15 through Nov. 1. Exception: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.

2. No fishing is allowed from Sept. 15 through Nov. 15 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

(C) Lower Klamath River Basin King Salmon Impact Quotas: NOTE: The Lower Klamath River Basin chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest each year is closely coordinated ~~by the affected parties~~ during the period from August 1 through November 30. The term "impact quota" is the recreational catch of adult fall-run king salmon, plus the estimated number of adult fall-run king salmon lost as a result of hook-and-release mortality.

1. Quota for Entire Basin: The ~~2004~~ 2002 Klamath River basin quota is (a range between 29,800 1,200 - 25,000) adult (over 22 inches) king salmon over 22 inches. Separate quotas have been established for five individual area subdivisions as listed below in subsection (b)(91.1)(C)1.a.-e., with restrictions for each area designed to assure that the quota for the entire basin is not exceeded. The restrictions triggered by quotas apply only during the period from August 1 through November 30. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (NOTE: A Department status report on progress toward the quotas for the various river sections is updated daily, and available at 1-800-564-6479).

a. Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth): This area is closed to all fishing after 15% of the basin impact quota has been taken below the Highway 101 bridge. (Note: This provision only applies if the Department projects that the total basin Impact quota will be met). ~~In 2001, this number is 4,470. (Also, see subsection (b)(91.1)(A)4. above.)~~

b. Klamath River Below Coon Creek Falls: No salmon over 22 inches may be retained after 50% of the basin impact quota has been taken below Coon Creek Falls.

c. Klamath River from Iron Gate Dam to falls at Coon Creek: ~~No salmon over 22 inches total length may be retained after either:~~

~~(i) 17% of the Klamath River basin impact quota has been taken in the Klamath River between Iron Gate Dam and the falls at Coon Creek, or~~

~~(ii) 50% of the Klamath River basin impact quota has been taken in the Klamath River basin above Coon Creek Falls. This restriction does not apply after the department determines that the adult fall king salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish~~

~~(i) No salmon over 22 inches total length may be retained from April 1 through July 31.~~

~~(ii) No salmon over 22 inches total length may be retained after 50% of the Klamath River basin impact quota has been taken in the Klamath River basin above Coon Creek Falls.~~

~~(iii) King salmon over 22 inches total length may be retained from 3,500 feet below Iron Gate Dam to the Interstate 5 bridge when the Department determines that the adult fall king salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish.~~

d. Trinity River from the Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat: ~~No salmon over 22 inches total length may be retained after 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls. This restriction does not apply after the adult fall king salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish.~~

~~(i) Closed to fishing April 1 through the Friday preceding the fourth Saturday in May.~~

~~(ii) No salmon over 22 inches total length may be retained after 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls.~~

~~(iii) King salmon over 22 inches total length may be retained from the Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that the adult fall king salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish.~~

e. Trinity River from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity: ~~No king salmon over 22 inches total length may be retained after either:~~

~~(i) Closed to all fishing from April 1 through the Friday preceding the fourth Saturday in May.~~

~~(ii) No salmon over 22 inches total length may be retained after 16.5% of the basin quota has been taken in the Trinity River from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity, or 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls.~~

(D) ~~Lower~~ Klamath River Basin General Seasons and Bag and Possession limits:

In anadromous waters of the Klamath River basin, except for those with special bag limits provided in subsection (b)(91.1)(F) below, the daily trout/salmon bag limit is 3 king salmon, but no more than 2 king salmon over 22 inches, and 1 hatchery trout or 1 hatchery steelhead^{**}. No more than 6 king salmon over 22 inches may be retained in any 7 consecutive days. No more than 12 king salmon may be possessed, of which no more than 6 may be over 22 inches total length. (Note: ~~that~~ salmon bag limits change in some areas when quotas are reached (see subsection (b)(91.1)(C) above).

(E) All anadromous waters of the ~~lower~~ Klamath River Basin are closed to all fishing all year, except those listed in subsection (b)(91.1)(F) below.

(F) Special Seasons. Daily Bag Limits, and Special Fishing Methods Restrictions for Waters of the Lower Klamath River Basin Which Have Open Fishing Seasons. Waters listed below are closed to all fishing except during the open seasons listed. Bag limits are for trout and salmon in combination unless otherwise specified.

Body of Water	Open Season and Special Regulations	Daily Bag Limit (if different from general bag limits in subsection (b)(91.1)(D) above)
1. Bogus Creek and tributaries.	Fourth Saturday in May through Aug. 31. Only artificial lures with barbless hooks may be used.	0

Body of Water	Open Season and Special Regulations	Daily Bag Limit (if different from general bag limits in subsection (b)(91.1)(D) above)
2. Klamath River main stem from 3,500 feet below Iron Gate Dam to mouth.	All year.	Quota Area. See subsection (b)(91.1)(C) above.
3. Salmon River main stem, main stem of North Fork, below Sawyer's Bar Bridge and main stem of South Fork below the confluence of the East Fork of the South Fork.	Nov. 1 through Feb. 28.	0
4. Scott River main stem from mouth to Fort Jones-Greenvew bridge.	Fourth Saturday in May through Feb. 28.	0
5. Shasta River main stem from Interstate 5 to 250 feet above the Department of Fish and Game counting weir, the mouth.	Fourth Saturday in May through Aug. 31 and Nov. 16 through Feb. 28.	0
6. Shasta River main stem from 250 feet above the Department of Fish and Game counting weir to mouth.	Fourth Saturday in May through Aug. 31 and Nov. 16 through Feb. 28.	0
7. 6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet below Lewiston Dam to Old Lewiston bridge.	Last Saturday in Apr. through Sept. 15. Only artificial flies with barbless hooks may be used.	0
b. Trinity River main stem from Old Lewiston bridge to the Highway 299 West bridge at Cedar Flat.	Fourth Saturday in May through Mar. 31.	Quota Area. Also see subsection (b)(91.1)(C) above.
c. Canyon Creek above the falls located about four miles above the wilderness area boundary.	Last Saturday in April through November 15.	2
d. Trinity River main stem from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny).	Fourth Saturday in May through Aug. 31 and Dec. 1 through Mar. 31.	<u>See subsection (b)(91.1)(D) above.</u>
e. Trinity River main stem from Hawkins Bar Bridge (Road to Denny) <u>to the confluence with the Klamath River, mouth of the South Fork Trinity.</u>	Fourth Saturday in May through Mar. 31.	Quota Area. Also see See subsection (b)(91.1)(C) above.
f. The Trinity River main stem downstream from the mouth of the South Fork of the Trinity.	All year.	Quota Area. Also see subsection (b)(91.1)(C) above.
g. f. Trinity River South Fork downstream from the mouth of Grouse Creek.	Saturday preceding Memorial Day Fourth Saturday in May through Mar. 31.	1 hatchery trout or 1 hatchery steelhead** 0 king salmon
h. g. Trinity River South Fork from the mouth of Grouse Creek to the South Fork Trinity River bridge at Hyampom.	Nov. 1 through Mar. 31.	1 hatchery trout or 1 hatchery steelhead** 0 king salmon

Body of Water	Open Season and Special Regulations	Daily Bag Limit (if different from general bag limits in subsection (b)(91.1)(D) above)
i.h. Hayfork Creek main stem, from Highway 3 bridge in Hayfork downstream to the mouth.	Fourth Saturday in May through Mar. 31. Only artificial lures with barbless hooks may be used.	0
<p>** Hatchery trout or steelhead are those showing dorsal fin erosion and/or an adipose fin clip. Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing dorsal fin erosion and/or an adipose fin clip.</p> <p><u>** Hatchery trout or steelhead are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip.</u></p>		

Subsection (b)(176) of Section 7.50, Title 14, CCR, is amended to read:

(176) Shasta River (Siskiyou Co.).	See Klamath River Regulations subsection (b)(91.1)(F)5. & 6.	
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Subsection (b)(195) of Section 7.50, Title 14, CCR, is amended to read:

(195) Trinity River.	See Klamath River Regulations subsection (b)(91.1)(F) 7 <u>6</u> .	
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Note: Authority cited: Sections 200, 202, 205, 215, 220, 240 and 315, Fish and Game Code. Reference: Sections 200, 205, 206 and 215, Fish and Game Code.